IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.31311 of 2008
BABITA KUMARI
Versus
STATE OF BIHAR & ANR
With
Cr. Misc. no.31326 of 2008
Babita Kumar @ Babita Devi
Versus
State of Bihar & ors.
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2. 29.7.2008 Heard both the petitions.

Let lower court take up hearing of the cancellation petition which, as per submission, has been filed and copy of which appears as Annexure-4 to the present petition. As fact stands, the Court is not inclined to exercise its jurisdiction if a Magistrate could exercise the same in the light of section 437 (5) of the Code of Criminal Procedure.

The petitions are dismissed.

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NOT OFFICIAL

sudip **(Dharnidhar Jha, J)**
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